

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
NATTAPONG CHUAMUANGPHAN)
)
Licensee of Amateur Service Station KC1DWD)

ORDER PROPOSING MODIFICATION

Adopted: May 24, 2016

Released: May 25, 2016

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

1. *Introduction.* For the reasons set forth below, we propose to modify the operator privileges of Nattapong Chuamuangphan (Chuamuangphan), licensee of Amateur Radio Service Station KC1DWD. Specifically, we propose to modify Chuamuangphan's operator license to show General Class operator privileges.

2. *Background.* January 29, 2016, the American Radio Relay League Volunteer Examiner Coordinator (ARRL VEC) sent an electronic data file to the Commission requesting that Chuamuangphan's operator license for amateur Station DC1DWD be modified to upgrade from General Class to Amateur Extra Class amateur radio operator privileges.¹ Based on this application, the Commission granted Chuamuangphan an Amateur Extra Class amateur service operator license on January 29, 2016. This license authorizes Chuamuangphan to be the control operator of an amateur station transmitting on frequency bands authorized by Section 97.301(b) of our Rules.²

3. By correspondence dated May 23, 2016, ARRL VEC notified the Commission that it had made an error in the January 29, 2016, data file and that Chuamuangphan had not qualified for an Amateur Extra Class operator license.³ Therefore, ARRL VEC urged us to modify Chuamuangphan's license to correct the operator privileges authorized.

4. *Discussion.* We believe that ARRL VEC's request is most properly characterized as an informal request for Commission action under Section 1.41 of the Commission's rules.⁴ Based on the information now before us, it appears that the grant of Amateur Extra Class operator privileges to Chuamuangphan was erroneous because Chuamuangphan did not pass the examination necessary to qualify for an Amateur Extra Class operator license. Rather, Chuamuangphan appears to be currently authorized to operate with Amateur Extra Class operator privileges due to an error made during the application process.

¹ See File No. 0007120464 (filed Jan. 29, 2016).

² See 47 CFR § 97.301(b).

³ E-mail dated, from Amanda Grimaldi, Senior Volunteer Examiner Coordinator Representative, ARRL VEC, to Rebecca Williams (May 23, 2016 2:05 p.m.).

⁴ 47 CFR § 1.41.

5. We believe that section 316(a)(1) of the Communications Act of 1934, as amended, provides the appropriate vehicle for resolving this matter.⁵ Section 316(a) permits the Commission to modify a station license if the action will promote the public interest, convenience, and necessity.⁶ We believe that a modification of the license for amateur station KC1DWD to replace Amateur Extra Class operator privileges with General Class operator privileges is appropriate.

6. In accordance with section 1.87(a) of the Commission's Rules,⁷ we will not issue a modification order until Chuamuangphan has received notice of our proposed action and has had an opportunity to file a protest. To protest the modification, Chuamuangphan must, within thirty days of the release date of this *Order Proposing Modification*, submit a written statement with sufficient evidence to show that the modification would not be in the public interest. The protest must be filed with the Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., Room TW-A325, Washington, D.C. 20554.⁸ If no protest is filed, Chuamuangphan will have waived the right to protest the modification and will be deemed to have consented to the modification.

7. *Conclusion.* For the reasons stated above, we conclude that the grant of Amateur Extra Class amateur radio operator privileges was improper. Accordingly, we propose to modify the amateur service operator license for amateur station KC1DWD by replacing Amateur Extra Class operator privileges with General Class operator privileges.

8. ACCORDINGLY, IT IS PROPOSED, pursuant to sections 4(i) and 316(a) of the Communications Act of 1934, 47 U.S.C. §§ 154(i), 316, and section 1.87 of the Commission's rules, 47 CFR § 1.87, that the license of Nattapong Chuamuangphan for amateur service Station KC1DWD BE MODIFIED by replacing Amateur Extra Class operator privileges with General Class operator privileges.

9. IT IS FURTHER ORDERED that this *Order Proposing Modification* shall be sent by certified mail, return receipt requested, to Nattapong Chuamuangphan, 194 Westminster Rd., East Weymouth, MA 01289.

10. This action is taken under delegated authority pursuant to sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

⁵ 47 U.S.C. § 316(a)(1).

⁶ *Id.*

⁷ 47 CFR § 1.87(a).

⁸ The address for FCC locations should be used only for documents filed by United States Postal Service first-class mail, Express Mail, and Priority Mail. Hand-delivered or messenger-delivered documents for the Commission's Secretary are accepted only at our location at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service, Express Mail, and Priority Mail) should be addressed for delivery to 9300 East Hampton Drive, Capitol Heights, MD 20743. See FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001).